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5 UNITED STATES DISTRICT COURT  
6 EASTERN DISTRICT OF WASHINGTON  
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8 QUINTON P. BROWN, ) No. CV-08-5091-JPH  
9 Plaintiff, ) ORDER ADOPTING REPORT AND  
10 v. ) RECOMMENDATION  
11 ELDON VAIL, et. al., )  
12 Defendants. )  
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14 BEFORE THE COURT is the Report and Recommendation (Ct. Rec.  
15 126) to grant defendants' motion for relief (Ct. Rec. 115) from  
16 consolidation entered by Chief Judge Lonny R. Suko on February 2,  
17 2010 (Ct. Rec. 112). The deadline for filing his objections to  
18 the report has passed and none have been filed (Ct. Rec. 126). The  
19 parties consented to proceed before a magistrate judge in the  
20 first case filed, 08cv5091-JPH (Ct. Rec. 58), but not in the  
21 second, 09cv5089-CI. For this and other reasons specified in the  
22 report, defendants seek relief from consolidation (Ct. Rec. 115).

23 The magistrate judge's report and recommendation, filed on  
24 March 15, 2010 (Ct. Rec. 126), recommends defendants' motion for  
25 relief from consolidation (**Ct. Rec. 115**) be granted.

26 Having reviewed the Report and Recommendation and the files  
27 and records herein, and finding no objections, the Court adopts  
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ORDER ADOPTING REPORT  
AND RECOMMENDATION

1 the magistrate judge's report and recommendation in its entirety.

2 Accordingly, **IT IS HEREBY ORDERED** that the recommendation  
3 (Ct. Rec. 126) to grant defendants' **motion for relief from**  
4 **consolidation** is **ADOPTED in its entirety**. The cases of 08cv5091-  
5 JPH and 09cv5089-CI are to be separated and returned to the  
6 respective magistrate judges to whom each was originally assigned.

7 **IT IS SO ORDERED.** The District Court Executive is directed  
8 to enter this Order and forward copies to counsel for the parties  
9 and to the previously assigned magistrate judges.

10 **DATED** this 30<sup>th</sup> day of March, 2010.

11  
12 s/Lonny R. Suko  
13 LONNY R. SUKO  
14 Chief Judge U. S. District Court  
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